

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

January 19, 2017

The Marlboro Township Council held its regularly scheduled Meeting on January 19, 2017 at 7:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Cantor opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on January 9, 2017; faxed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building; filed in the office of the Municipal Clerk and placed on the township website and Channel 77.

The Clerk called the Roll.

PRESENT: Council Vice President Marder, Councilman Metzger, Councilwoman Mazzola, Councilman Scalea, and Council President Cantor.

Also present were: Mayor Jonathan L. Hornik, Louis N. Rainone, Esq., Business Administrator Jonathan Capp, Municipal Clerk Alida Manco, Deputy Municipal Clerk Suzanne Branagan.

Council Vice President Marder moved that the minutes and executive minutes of December 15, 2016 and January 5, 2017 be approved. This was seconded by Councilman Metzger, and passed on a roll call vote of 5 - 0.

The following Resolution #2017-63/Ord. #2017-1 (Salary Ordinance - Various Officers and Employees) was introduced by reference, offered by Councilman Scalea, seconded by Council Vice President Marder, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2017-63

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2017-1

ORDINANCE AMENDING CHAPTER 4, ARTICLE XX

(ADMINISTRATION OF GOVERNMENT, OFFICERS AND EMPLOYEES)
 AND FIXING THE SALARIES OF VARIOUS OFFICERS AND EMPLOYEES
 OF THE TOWNSHIP OF MARLBORO 2017

be introduced and passed on first reading and that the same be advertised according to law; and

BE IT FURTHER RESOLVED that the same be considered for final passage on February 2, 2017 at 7:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2017-1

ORDINANCE AMENDING CHAPTER 4, ARTICLE XX
 (ADMINISTRATION OF GOVERNMENT, OFFICERS AND EMPLOYEES)
 AND FIXING THE SALARIES OF VARIOUS OFFICERS AND EMPLOYEES
 OF THE TOWNSHIP OF MARLBORO 2017

BE IT ORDAINED by the Township Council of the Township of Marlboro, County of Monmouth, as follows:

SECTION 1. The salaries of the hereinafter designated Township officers and employees in accordance with Schedule "A" are attached hereto.

SECTION 2. All salary ordinances heretofore adopted are hereby repealed, and all other parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 3. This Ordinance shall take effect upon passage and publication as required by law.

SCHEDULE A

2017	
Mayor	4,800
Councilperson	3,600
Business Administrator	85,000.00 - 151,000.00
Municipal Clerk	65,000.00 - 116,000.00
Deputy Municipal Clerk	45,000.00 - 74,000.00
Chief Financial Officer	78,000.00 - 126,000.00
Finance Director	2,500.00 - 7,000.00
Tax Collector	65,000.00 - 94,000.00
Tax Assessor	65,000.00 - 94,000.00
Municipal Presiding Judge	27,000.00 - 52,000.00
Municipal Judge	20,000.00 - 32,000.00

Township Engineer	90,000.00 - 126,000.00
Superintendent of Public Works	99,900.00 - 151,000.00
Recreation Director	70,000.00 - 99,000.00
Chief of Police	107,000.00 - 189,000.00

The following Resolution #2017-64 (Authorizing Acceptance of Grant - NJ Supplemental Superstorm Sandy Funding) was introduced by reference, offered by Council Vice President Marder, seconded by Councilman Scalea, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2017-64

RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FROM THE
NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS (NJDCA)
SANDY RECOVERY DIVISION IN THE AMOUNT OF \$229,746.00

WHEREAS, the New Jersey Department of Community Affairs (NJDCA) Sandy Recovery Division announced a program to provide funding for some or all of the FEMA Public Assistance required (10%) non-Federal match; and

WHEREAS, on October 6, 2016 (R.2016-305), the Township Council of the Township of Marlboro authorized an application be made to NJDCA for supplemental funding to reimburse the Township for the costs of the required (10%) non-Federal FEMA match; and

WHEREAS, on December 19, 2016, the Township has received a notice of award in the amount of \$229,746.00 from NJDCA; and

WHEREAS, the Township of Marlboro wishes to accept the additional funding to reimburse the taxpayers for the remaining storm-related costs.

NOW, THEREFORE, BE IT RESOLVED THAT, the Township hereby authorizes Mayor Jonathan L. Hornik and Alida Manco, Municipal Clerk to execute the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith.

The following Resolution #2017-65 (Authorizing Shared Services Agreement WMUA - Confined Space Entry Team Services) was introduced by reference, offered by Councilman Metzger, seconded

by Councilman Scalea, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2017-65

A RESOLUTION OF THE TOWNSHIP OF MARLBORO IN MONMOUTH COUNTY, NEW JERSEY AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND THE WESTERN MONMOUTH UTILITIES AUTHORITY TO PROVIDE FOR CONFINED SPACE RESCUE TEAM SERVICES

WHEREAS, the Western Monmouth Utilities Authority ("WMUA") employs and trains staff in confined space operations, tactics, equipment and rescue; and

WHEREAS, the Township of Marlboro Department of Public Works ("Township") has requested that the WMUA provide confined space rescue team services; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., (the "Act") permits units of local government to share services for particular purposes and to effectuate agreements for any service or circumstance that will aid and encourage a reduction of local expenses; and

WHEREAS, the Western Monmouth Utilities Authority ("WMUA") and the Township of Marlboro ("Marlboro") are public bodies corporate and politic of the State of New Jersey and are authorized under New Jersey Law to enter into a Shared Services Agreement pursuant to the Act; and

WHEREAS, the WMUA has the personnel to provide the specified services; and

WHEREAS, the WMUA and the Township have negotiated a Shared Services Agreement, substantially similar in form to that which is annexed hereto as EXHIBIT A, and the terms of which are incorporated into this resolution as if set forth at length herein; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Marlboro as follows:

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.
2. The Shared Services Agreement shall be open to public inspection in the Clerk's office and shall take effect upon

the adoption of a resolution and execution of the agreement by both parties.

3. The Mayor and Township Clerk are hereby authorized to execute a Shared Services Agreement substantially similar in form to that which is annexed hereto as EXHIBIT A.

The following Resolution #2017-66 (Authorizing Agreement NJDOT Traffic signal Improvements - Wyncrest Road and Route 79) was introduced by reference, offered by Councilman Scalia, seconded by Councilwoman Mazzola, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2017-66

RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTION FOR IMPROVEMENTS TO THE INTERSECTION OF ROUTE 79 AND WYNCREST ROAD

WHEREAS, a traffic condition exists along Route 79 and Wyncrest Road, in the Township of Marlboro, County of Monmouth which requires improvements to the semi-actuated traffic control signal; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, the State of New Jersey has indicated its willingness to improve the traffic control signal at said intersection; and

WHEREAS, the State of New Jersey has proposed a form of agreement pertaining to maintenance of said traffic signal.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Clerk of the Township of Marlboro be and are hereby authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the aforesaid purpose, a copy of said agreement being attached hereto and made a part hereof.

As the Consent Agenda, the following resolutions were introduced by reference, offered by Vice Council President Marder, seconded by Councilwoman Mazzola and passed on a roll call vote of 5 - 0 in favor. Res. #2017-67 (Authorizing 2017 Temporary Emergency

Budget Appropriations), Res. #2017-68 (Authorizing 2016 Reserve Year Budget Transfers), Res. #2017-69 (Authorizing Application NJDOT 2017 State Aid Program - Route 79 Sidewalk Project), Res. #2017-70 (Authorizing Application NJDOT 2017 State Aid Program - Marlboro Road Program Project), Res. #2017-71 (Authorizing Application NJDOT - Highway Safety Fund Grant), Res. #2017-72 (Award of Bid - Provision and Installation of Salt Storage Building), Res. #2017-73 (Authorizing State Contracts Auto/Truck Parts), Res. #2017-74 (Authorizing Mon. County Contracts Auto/Truck Parks), Res. #2017-75 (Authorizing Contract - Mon. County Co-op - Purchase of Pre-Treated Rock Salt) Res. #2017-76 (Authorizing Contract - Somerset County Co-op- Rock Salt - Contract #CC-0054-16), Res. #2017-77 (Authorizing State Contract - Purchase of Pre-Treated Rock Salt), Res. #2017-78 (Authorizing Internet-Based Reverse Auctions for Sale of Solar Renewable Energy Credits (S-RECS) and Award of Bid), and Res. #2017-79 (Authorizing Re-certification Marlboro's Tree City USA Status).

RESOLUTION # 2017-67

EMERGENCY TEMPORARY APPROPRIATION
PRIOR TO ADOPTION OF THE BUDGET

WHEREAS, N.J.S.A. 40A:4-20 provides authorization for an emergency temporary appropriation after the first thirty days of the fiscal year and before the adoption of the 2017 Municipal budget; and

WHEREAS, this resolution authorizes appropriations representing 50% of the full 2016 appropriations with the exception of debt service and obligations associated with seasonal considerations; and

WHEREAS, the total emergency temporary resolutions adopted in the year CY 2017 pursuant to the provisions of N.J.C.A. 40A 4-20 (Chapter 96, P.L.1951 as amended) including this resolution total: \$22,151,842.46 for the municipal budget, \$6,842,578.45 for the operations of the water utility, and \$1,309,611.54 for the operations of the recreation and swim utility; and

NOW THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for each of the accounts listed on the attached.

2. That each said emergency temporary appropriation will be provided for in the CY 2017 budget under the same title as appropriated above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

RESOLUTION # 2017-68

RESOLUTION AUTHORIZING TRANSFER
OF APPROPRIATION RESERVES
DURING FIRST THREE MONTHS
OF THE FISCAL YEAR

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation reserve transfers during the first three (3) months of the following fiscal year, when it has been determined that additional funds may be necessary to pay for services or goods that had been received in the operations of the preceding year.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro does hereby authorize the transfers among the Appropriation Reserves (Calendar Year 2016 Municipal Budget) as follows:

Current Fund:		
Account	From	To
(2016) Employee Insurance - Other Expenses	\$ 1,000.00	
(2016) Fire Prevention Bureau Other Expenses	1,500.00	
(2016) Grounds Maintenance Other Expenses	18,000.00	
(2016) Public Works Other Expenses	1,500.00	
(2016) Health Insurance Waivers - Other Expenses		\$ 1,000.00
(2016) Fire Prevention Bureau Salaries & Wages		1,500.00
(2016) Grounds Maintenance Salaries & Wages		16,500.00
(2016) Public Works Salaries & Wages		3,000.00
	<u>\$ 22,000.00</u>	<u>\$ 22,000.00</u>
Water Utility Operating Fund:		
Account	From	To
(2016) Water Utility - Other Expenses	\$ 45,000.00	
(2016) Water Utility - Salaries & Wages		\$ 45,000.00
	<u>\$ 45,000.00</u>	<u>\$ 45,000.00</u>

RESOLUTION # 2017-69

AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE "ROUTE 79 - SIDEWALK" PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Marlboro formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SST-2017-Route 79 Sidewalk-00042 to the New Jersey Department of Transportation on behalf of the Township of Marlboro.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Marlboro and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION # 2017-70

AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE "MARLBORO ROAD PROGRAM" PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Marlboro formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Marlboro Road Program-00320 to the New Jersey Department of Transportation on behalf of the Township of Marlboro.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Marlboro and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION # 2017-71

AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE HIGHWAY SAFETY FUND PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Marlboro formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as FY-2017 Highway Safety Fund Safe Corridors Act to the New Jersey Department of Transportation on behalf of the Township of Marlboro.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Marlboro and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION # 2017-72

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO CLEARSPAN FABRIC STRUCTURES INTERNATIONAL, INC. FOR THE DELIVERY AND INSTALLATION OF ONE (1) NEW SALT STORAGE BUILDING FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township of Marlboro as part of its 2016 capital program (122-101) authorized the purchase of an additional salt shed for the Department of Public Works; and

WHEREAS, the Township of Marlboro has authorized the acceptance of bids for the DELIVERY AND INSTALLATION OF ONE (1) NEW SALT STORAGE BUILDING FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS, and on December 14, 2016, received four (4) bids, as follows:

Bidder		Bid Price
Clearspan Fabric Structures International, Inc.	S. Windsor, CT	\$140,000.00
Your Way Construction, Inc.	Irvington, NJ	\$273,712.50
Freespan Structures, Inc.	Brielle, NJ	\$289,100.00
Lucas Construction Group, Inc.	Red Bank, NJ	\$348,348.00

; and

WHEREAS, it has been determined that the submission of the lowest bidder, Clearspan Fabric Structures International, Inc. is responsive as detailed in a December 16, 2016 memo submitted by the Director of Public Works; and

WHEREAS, the Mayor and Township Council have indicated their desire to accept the recommendation of the Director of Public Works to award the bid as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, that a contract be awarded to Clearspan Fabric Structures International, Inc., whose address is 1395 John Fitch Blvd., S. Windsor, Connecticut 06074, in an amount not to exceed \$140,000.00 for the DELIVERY AND INSTALLATION OF ONE (1) NEW SALT STORAGE BUILDING FOR THE MARLBORO TOWNSHIP DEPARTMENT OF PUBLIC WORKS; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute, and the Township Clerk to witness, a contract with Clearspan Fabric Structures International, Inc. in an amount not to exceed \$140,000.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds in the amount of \$140,000.00 are available for the aforesaid contract in Capital Account #04-215-16-02J-122288; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. Clearspan Fabric Structures International, Inc.
- b. Township Administrator
- c. Director of Public Works
- d. Chief Financial Officer

RESOLUTION # 2017-73

RESOLUTION AUTHORIZING AWARD OF STATE CONTRACTS
TO VARIOUS VENDORS FOR PURCHASE OF AUTO, TRUCK,
HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES
FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION
OF VEHICLE MAINTENANCE

WHEREAS, the Township of Department of Public Works Division of Vehicle Maintenance is in need of AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES in order to maintain the Township vehicle fleet; and

WHEREAS, the Division of Vehicle Maintenance has recommended that the Township purchase AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES under various State contracts as follows:

Vendor	Contract Number	Amount
National Parts Supply Company	85993	\$10,000.00
Service Tire Truck Center	82527	\$20,000.00
Route 1 Chrysler Dodge	79170	\$15,000.00
Chemung Supply	88262	\$10,000.00
Creston Hydraulics	89297, 88272	\$15,000.00
A & K Equipment	88273	\$7,500.00
Brown Hunterdon Mack	89271	\$10,000.00
D & W Diesel	42124	\$2,700.00
Norman's Auto Services	77926	\$3,000.00
Norcia	73514, 85864, 73713	\$3,500.00
Perth Amboy Springs	89276	\$5,000.00
Craft Oil (Petro Choice)	81514	\$18,000.00
Varga Transmission Center	40828	\$5,000.00
Trius, Inc.	88269	\$27,500.00
Malouf Chevrolet	79154	\$3,000.00
Foley Equipment	85846	\$15,000.00
Aurora Environmental	42274	\$5,500.00
Hoover Truck Center	89257	\$2,500.00
Fastenal	79873	\$5,000.00
Kaldor Emergency Lighting	81333, 81334	\$10,000.00
Praxair Distribution	83290	\$2,500.00
ODB Municipal Products	85861	\$17,500.00
W. E. Timmerman Co.	85857	\$2,500.00
Joseph Fazzio Steel	84215	\$2,000.00
B. J. and M. Auto	89295	\$2,500.00
NAPA Auto Parts (F & C Auto)	42104	\$43,000.00
Mid Atlantic Truck Center	42075	\$15,000.00
		\$278,200.00

; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12, a municipality may, without advertising for bids, purchase goods under any contract for such goods entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the Department of Public Works to obtain AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES under various State contracts in order to maintain the Township vehicle fleet; and

WHEREAS, funds will be certified by the Chief Financial Officer at the time of order; and

WHEREAS, the Township Council desires to approve the purchase of said AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES from the vendors and under the State Contracts identified above in an amount not to exceed \$278,200.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. Township Administrator
- b. Township Director of Public Works
- c. Township Chief Financial Officer

RESOLUTION # 2017-74

RESOLUTION AUTHORIZING AWARD OF CONTRACTS TO VARIOUS VENDORS FOR PURCHASE OF AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF VEHICLE THROUGH BIDS OBTAINED BY THE MONMOUTH COUNTY COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township is authorized to purchase AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES from bids obtained from a cooperative pricing system such as the Monmouth County Cooperative Purchasing Program pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the Monmouth County Cooperative Purchasing Program conducted a public bidding process and awarded contracts to various vendors for the provision of AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES; and

WHEREAS, the Public Works Department has indicated that the various vendors listed below have agreed to extend the pricing provided to Monmouth County to Marlboro Township through the Monmouth County Cooperative Purchasing Program; and

WHEREAS, the Township of Department of Public Works Division of Vehicle Maintenance is in need of AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES in order to maintain the Township vehicle fleet; and

WHEREAS, at this time, the Public Works Department has recommended the award of contracts as follows:

Vendor	Contact Number	Amount
Groff Tractor New Jersey, LLC	F-56-2017	\$1,500.00
Edwards Tire Company, Inc.	F-49-2016	\$55,000.00
Freehold Ford, Inc.	F-18-2016	\$15,500.00
Mid-Atlantic Truck Centre, Inc.	F-12-2015	\$15,000.00
Finger's Radiator Hospital Inc.	F-55-2017	\$1,500.00
Van Winkle Auto Supply, Inc.	F-71-2017	\$6,000.00
Eastern Surplus & Equipment	F-63-2017	\$5,000.00
Storr Tractor Company	F-10-2017	\$10,500.00
Jesco, Incorporated	F-65-2017	\$2,500.00
		\$112,500.00

; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey for the Department of Public Works to obtain auto and truck parts and supplies under the Monmouth County Cooperative Purchasing Program in order to maintain the Township vehicle fleet; and

WHEREAS, funds will be certified by the Chief Financial Officer at the time of order; and

WHEREAS, the Township Council desires to approve the purchase of said AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase AUTO, TRUCK, HEAVY EQUIPMENT AND LAWN MOWER PARTS AND SUPPLIES from the aforementioned vendors pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program, for a total amount not to exceed \$112,500.00; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. Township Administrator
- b. Township Director of Public Works
- c. Township Chief Financial Officer

RESOLUTION # 2017-75

RESOLUTION AUTHORIZING A CONTRACT FOR THE PROVISION OF DE-ICING MATERIAL (SODIUM CHLORIDE TREATED WITH LIQUID MAGNESIUM CHLORIDE AND ORGANIC BASED PERFORMANCE ENHANCER) THROUGH BIDS OBTAINED BY THE MONMOUTH COUNTY COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township is authorized to purchase de-icing material (treated sodium chloride) from bids obtained from a cooperative pricing system such as the Monmouth County Cooperative Purchasing Program pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the Monmouth County Cooperative Purchasing Program conducted a public bidding process and awarded a contract to Morton Salt, Inc., 123 North Wacker Drive, Chicago, IL 60606-1743 for the provision of de-icing material (treated sodium chloride) at a price of \$90.59 per ton; and

WHEREAS, the Public Works Department has indicated that Morton Salt, Inc. has agreed to extend the pricing provided to Monmouth County to Marlboro Township through the Monmouth County Cooperative Purchasing Program; and

WHEREAS, at this time, the Public Works Department has recommended the award of contract for 3,500 tons of material at the contract price for a total not to exceed \$317,065.00; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to purchase de-icing material (treated sodium chloride); and

WHEREAS, funds have been certified by the Chief Financial Officer from Current Account #01-201-26-119-292106; and

WHEREAS, the Marlboro Township Council, having considered the same, desires to authorize the purchase of 3,500 tons of de-icing material (treated sodium chloride) from Morton Salt, Inc., at a price of \$90.59 per ton, pursuant to the bid obtained by the Monmouth County Cooperative Purchasing Program, for a total amount not to exceed \$317,065.00.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase 3,500 tons of de-icing material (treated sodium chloride) from Morton Salt, Inc., at a price of \$90.59 per ton, pursuant to the bid obtained by the Monmouth

County Cooperative Purchasing Program, for a total amount not to exceed \$317,065.00; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. Morton Salt, Inc.
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Township Public Works Department

RESOLUTION # 2017-76

RESOLUTION AUTHORIZING A CONTRACT FOR THE PROVISION
OF ROCK SALT THROUGH BIDS OBTAINED BY THE
SOMERSET COUNTY COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township is authorized to purchase rock salt from bids obtained from a cooperative pricing system such as the Somerset County Cooperative Purchasing Program pursuant to the authority provided by N.J.S.A. 40A:11-11(6); and

WHEREAS, the Somerset County Cooperative Purchasing Program conducted a public bidding process and awarded a contract to Atlantic Salt, Inc., 134 Middle Street, Suite 210, Lowell, MA 01852 for the provision of rock salt at a price of \$57.57 per ton; and

WHEREAS, the Public Works Department has indicated that Atlantic Salt, Inc. has agreed to extend the pricing provided to Somerset County to Marlboro Township through the Somerset County Cooperative Purchasing Program; and

WHEREAS, at this time, the Public Works Department has recommended the award of contract for 1,000 tons of material at the contract price for a total not to exceed \$57,570.00; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to purchase rock salt; and

WHEREAS, funds in the total amount of \$57,570.00, for 1,000 tons, have been certified by the Chief Financial Officer from Snow Removal Trust Account #11-228-55-020.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase 1,000 tons of rock salt from

Atlantic Salt, Inc., at a price of \$57.57 per ton, pursuant to the bid obtained by the Somerset County Cooperative Purchasing Program, for a total amount not to exceed \$57,570.00; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. Township Administrator
- b. Township Chief Financial Officer
- c. Township Public Works Department

RESOLUTION # 2017-77_

RESOLUTION AUTHORIZING A CONTRACT FOR THE PROVISION OF DE-ICING MATERIAL (TREATED SODIUM CHLORIDE) FOR THE TOWNSHIP OF MARLBORO DEPARTMENT OF PUBLIC WORKS UNDER STATE CONTRACT #40201

WHEREAS, the State of New Jersey conducted a public bidding process and awarded a contract to Morton Salt, Inc., 123 North Wacker Drive, Chicago, IL 60606-1743 for the provision of de-icing material (treated sodium chloride) at a price of \$92.01 per ton; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12, a municipality may, without advertising for bids, purchase goods under any contract for such goods entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the Public Works Department has recommended the award of contract for 1,500 tons of material at the contract price for a total not to exceed \$138,015.00; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to purchase de-icing material (treated sodium chloride); and

WHEREAS, funds in the total amount of \$138,015.00, for 1,500 tons, will be made available and certified by the Chief Financial Officer in Current Account #01-201-26-119-292106 and Snow Removal Trust Account #11-228-55-020 upon adoption of the 2017 municipal budget; and

WHEREAS, the Marlboro Township Council, having considered the same, desires to authorize the purchase of 1,500 tons of de-icing material (treated sodium chloride) from Morton Salt, Inc., at a price of \$92.01 per ton, pursuant to the contract

authorized by the State of New Jersey Division of Purchase and Property in the Department of Treasury, for a total amount not to exceed \$138,015.00.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase 1,500 tons of de-icing material (treated sodium chloride) from Morton Salt, Inc., at a price of \$92.01 per ton, for a total amount not to exceed \$138,015.00; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. Township Administrator
- b. Township Chief Financial Officer
- c. Township Public Works Director

RESOLUTION # 2017-78

A RESOLUTION AUTHORIZING PARTICIPATION IN THE NEW JERSEY
E-PROCUREMENT PILOT PROGRAM, AUTHORIZING THE ENGAGEMENT
OF AN ON-LINE PURCHASING AGENT AND AUTHORIZING INTERNET-BASED
AUCTIONS AND EXECUTION OF AGREEMENTS FOR THE SALE
OF SOLAR RENEWABLE ENERGY CREDITS

WHEREAS, the Marlboro Township Municipal Utilities Authority (MTMUA) had a contract for the sale of solar renewable energy credits (S-RECs) which expired on May 31, 2011; and

WHEREAS, pursuant to provisions of the *Local Unit Electronic Technology Pilot Program and Study Act* (P. L. 2001, c. 30), local contracting units are specifically authorized to engage, without competitive bidding, on-line purchasing agents for the purpose of conducting internet-based auctions to procure certain bulk commodities, including S-RECs; and

WHEREAS, the Township has previously solicited proposals from three of the vendors authorized by the State of New Jersey to conduct internet-based auctions of S-RECs; and

WHEREAS, since 2012, the Township Council authorized the engagement of Marex Spectron, an on-line purchasing agent authorized by the State of New Jersey to conduct internet-based auctions for the sale of S-RECs generated or anticipated to be generated, at a reasonable sum of \$3.00 per S-REC; and

WHEREAS, the State of New Jersey allows local government units, through participation in an *E-Procurement Pilot Program* in accordance with the provisions of the *Local Unit Electronic Technology Pilot Program and Study Act* (P. L. 2001, c. 30), to utilize on-line auction services for the sale of S-RECs; and

WHEREAS, the Department of Public Works, Water Utility Division has recommended the selection of Marex Spectron to serve as Marlboro Township's on-line purchasing agent in accordance with its proposal.

WHEREAS, the Department of Public Works, Water Utility Division routinely monitors market conditions and advises that a sale of SRECs to be generated between June 1, 2017 and May 31, 2018 may be beneficial at this time.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, County of Monmouth, and State of New Jersey, that:

Section 1. The participation of Marlboro Township in the New Jersey *E-Procurement Pilot Program* pursuant to the provisions of the *Local Unit Electronic Technology Pilot Program and Study Act* (P. L. 2001, c. 30) is hereby authorized and approved for the sale of Solar Renewable Energy Credits utilizing on-line competitive bidding services and, in particular, an internet-based auction platform.

Section 2. The Township is hereby authorized to enter into an agreement with Marex Spectron, with corporate offices located at 360 Madison Avenue, Third Floor, New York, NY 10017, as an on-line purchasing agent, to conduct competitive auctions utilizing an internet-based platform in conjunction with the Township's planned sale of S-RECs.

Section 3. The engagement of Marex Spectron, shall be effected through the execution of an Agreement substantially in the form attached hereto and made a part hereof as Exhibit A, which said contract is hereby awarded, without competitive bidding, pursuant to the provisions of Section 7 of the *Local Unit Electronic Technology Pilot Program and Study Act* (P. L. 2001, c. 30).

BE IT FURTHER RESOLVED that

Section 1. The Mayor, or his designee, is hereby authorized to conduct internet-based auctions through Marex

Spectron for the sale of up to 50% or approximately 450 S-RECs to be generated between June 1, 2017 and May 31, 2018; and

Section 2. The Mayor, or his designee, is hereby authorized to award a contract to and execute an agreement, in a form approved by the Township Attorney, with the responsible bidder(s) which offer(s) the highest per credit price offering resulting from the aforementioned internet-based auction for the sale of S-RECs, provided the bid accepted offers a per S-REC price equal to or higher than \$220.00; and

Section 3. The Mayor, or his designee, shall report on the bid results at the first meeting of the Township Council following the conclusion of the auctions to enable the Township Council to ratify and confirm the contract award.

Section 4. A certified true copy of this Resolution shall be provided to each of the following:

- a. Marlboro Township Administrator
- b. Marlboro Township Chief Financial Officer
- c. Marlboro Township Director of Public Works
- d. Marex Spectron
- e. NJ Division of Local Government Services

RESOLUTION # 2017-79

RESOLUTION AUTHORIZING AN APPLICATION TO THE
ARBOR DAY FOUNDATION FOR RECERTIFICATION
OF MARLBORO TOWNSHIP'S TREE CITY USA STATUS

WHEREAS, in 2010 Marlboro Township was certified as a Tree City by the Arbor Day Foundation in cooperation with the USDA Forest Service and the National Association of State Foresters; and

WHEREAS, the Township of Marlboro Shade Tree Committee desires to apply for recertification of Marlboro Township's Tree City USA title.

BE IT THEREFORE RESOLVED that the Township Council of the Township of Marlboro does hereby authorize the Shade Tree Committee and Business Administrator to apply for the recertification.

At 8:25 PM, Council Vice President Marder moved that the meeting be adjourned. This was seconded by Councilwoman Mazzola, and passed on a roll call vote of 5 - 0 in favor.

MINUTES APPROVED: FEBRUARY 2, 2017

OFFERED BY: MARDER

AYES: 3

SECONDED BY: MAZZOLA

NAYS: 0

ABSENT: METZGER, SCALEA

ALIDA MANCO,
MUNICIPAL CLERK

JEFF CANTOR,
COUNCIL PRESIDENT